



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Fred S. Lamb et al. Art Unit : 1617
Serial No. : 09/930,105 Examiner : Jennifer M. Kim
Filed : August 15, 2001
Title : USE OF CLC3 CHLORIDE CHANNEL BLOCKERS TO MODULATE
VASCULAR TONE

MAIL STOP AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the action dated August 24, 2004, finally rejecting claims 22-24, 27-29, 31-35, and 38-43. Applicants acknowledge that the Examiner indicated in the Advisory Action mailed November 26, 2004 that the amendments to the claims submitted on November 2, 2004 have been entered into the record for purposes of appeal. A petition for an extension of time under 37 C.F.R. § 1.136 to extend the time to respond to the final rejection for 3 months to and including February 24, 2005 is enclosed. A petition for an extension of time under 37 C.F.R. § 1.136 to extend the time to respond to the final rejection for 3 months to and including February 24, 2005 is enclosed.

Enclosed are checks in the amount of \$510 for the petition for extension of time fee and \$250 for the appeal fee. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: February 18, 2005

Elizabeth N. Kaytor
Elizabeth N. Kaytor, Ph.D.
Reg. No. 53,103

Fish & Richardson P.C., P.A.
60 South Sixth Street, Suite 3300
Minneapolis, MN 55402
Telephone: (612) 335-5070
Facsimile: (612) 288-9696

60276602.doc

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

February 18, 2005
Date of Deposit
Signature Theresa Popehn
Theresa Popehn
Typed or Printed Name of Person Signing Certificate

02/23/2005 EAREGAY1 00000062 09930105

01 FC:2401

250.00 0P